

**REMARKS**

As a preliminary matter, the Applicants respectfully thank the Examiner for indicating that claims 20-22, 24, and 27 recite allowable subject matter.

**I. 35 U.S.C. § 103: Claims 1, 2, 6, and 26**

Claims 1, 2, 6, and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 2,714,982 to Strauss ("*Strauss*") in view of U.S. Patent No. 1,902,262 to Powell ("*Powell*"). Claims 1, 2, 6, and 26, recite a portable food dispenser. The portable food dispenser includes a first container, a lid that is operational between a first and a second position, and a handle on the lid. The handle includes a pair of handle tabs positionable to fit into a pair of container slots, and a pair of handle slots configured to connect with a pair of container tabs. In the second position, the pair of handle slots connect with the pair of container tabs to secure the entire lid.

*Strauss* discloses a container handle and closure. *Powell* discloses a foldable display carton, and does not disclose a handle. Neither *Strauss* nor *Powell* alone or in combination teach or suggest that a pair of handle slots connect with a pair of container tabs to secure the entire lid in a second position. To the contrary, the Office Action suggests that in the second position, one of the lid portions of the *Strauss* container (reference numeral 9) is folded outwardly. According to this suggestion, the entire lid is not secured. Therefore, neither *Strauss* nor *Powell* disclose all of the features recited in amended claim 1. Claims 2, 6, and 26 depend from amended claim 1. Accordingly, the Applicants respectfully request withdrawal of this objection.

**II. 35 U.S.C. §103: Claims 1, 2, 25, and 26**

Claims 1, 2, 25, and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,403,728 to Koltz ("*Koltz*") or European Patent 0 053 568 (the "*568 European patent*"), each in view of *Powell*. Claims 1, 2, 25, and 26, recite a portable food dispenser. The portable food dispenser includes a first container, a lid that is operational between a first and a second position, and a handle on the lid. The handle includes a pair of handle tabs positionable to fit into a pair of container slots, and a pair of handle slots configured to connect with a pair of container tabs. In the

second position, the pair of handle slots connect with the pair of container tabs to secure the entire lid.

*Koltz* discloses a collapsible gable top container. The '*568 European patent* discloses a stackable carrying box. *Powell* discloses a foldable display carton, and does not disclose a handle. Neither *Koltz*, the '*568 European patent*, nor *Powell* alone or in combination teach or suggest that a pair of handle slots connect with a pair of container tabs to secure the entire lid in a second position. To the contrary, in order to obtain the second position, one portion of the *Koltz* or the '*568 European patent* would have to be unsecured. Therefore, the entire lid is not secured as recited in amended claim 1. Therefore, neither *Koltz* the '*568 European patent*, nor *Powell* disclose all of the features recited in amended claim 1. Claims 2, 25, and 26 depend from amended claim 1. Accordingly, the Applicants respectfully request withdrawal of this objection.

### III. 35 U.S.C. §103: Claims 3-5

Claims 3-5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over either *Koltz*, the '*568 European patent*, or *Strauss* in view of either U.S. Patent No. 3,021,976 to Tracy ("*Tracy*") or U.S. Patent No. 3,307,602 to Boster ("*Boster*"). Claims 3-5 depend from amended claim 1. Amended claim 1 recites a portable food dispenser. The portable food dispenser includes a first container, a lid that is operational between a first and a second position, and a handle on the lid. The handle includes a pair of handle tabs positionable to fit into a pair of container slots, and a pair of handle slots configured to connect with a pair of container tabs. In the second position, the pair of handle slots connect with the pair of container tabs to secure the entire lid.

*Tracy* discloses a container, and more specifically a tin can type container. *Boster* discloses a re-usable food container with a re-sealable lid. Neither *Tracy* nor *Boster* disclose a handle. Therefore, for the reasons recited in Sections I and II, above, Neither *Koltz*, the '*568 European patent*, *Strauss*, *Tracy*, nor *Boster* alone or in combination teach or suggest all of the features recited in amended claim 1. Accordingly, the Applicants respectfully request withdrawal of this objection.

**IV. 35 U.S.C. §103: Claim 6**

Claim 6 stands rejected under 35 U.S.C. §103(a) as being unpatentable over either *Koltz*, or the '*568 European patent*, in view *Strauss*.

Claim 6 depends from amended claim 1. For the reasons stated above in Sections I and II, neither *Koltz*, the '*568 European patent*, nor *Strauss* alone or in combination teach all of the features recited in amended claim 1. Accordingly, the Applicants respectfully request withdrawal of this objection.

**V. 35 U.S.C. §103: Claim 7**

Claim 7 stands rejected under 35 U.S.C. §103(a) as being unpatentable over either *Koltz*, the '*568 European patent*, *Strauss*, or *Powell* in view of U.S. Patent No. 3,871,568 to Bahler ("*Bahler*"). Claim 7 depends from amended claim 1.

*Bahler* discloses a carton, and does not disclose a handle. For the reasons stated above in Sections I and II, neither *Koltz*, the '*568 European patent*, *Strauss*, *Powell*, nor *Bahler* alone or in combination teach all of the features recited in amended claim 1. Accordingly, the Applicants respectfully request withdrawal of this objection.

**VI. Claims 20-22, 24, and 27**

Amended claim 20 recites a portable food dispenser. The portable food dispenser includes a first container; a lid, comprising a first and a second part, that is operational between a first and a second position; and a handle on the lid. The handle includes a first slot and a second slot spaced apart from one another, configured to connect with a first tab and a second tab, respectively. In the second position, when the lid covers only a portion of a top opening of the first container, the first and the second lid parts are secured to the first container by the first and second slots and the first and second tabs.

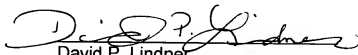
None of the cited references alone or in combination teach all of the features recited in amended claim 20. Claim 21, 22, 24, and 27 depend from amended claim 20. Accordingly, the Applicants respectfully submit that claims 20-22, 24, and 27 are not anticipated nor obvious in view of the cited references.

## VII. Conclusion

In view of the above amendments and remarks, the Applicants respectfully submit that the claims are in condition for allowance. A Notice of Allowance is respectfully requested. The Examiner is invited to contact the undersigned attorney at (312) 222-8123 if any issues can be resolved by phone.

Respectfully submitted,

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, ILLINOIS 60610  
(312) 321-4200

  
David P. Lindner  
Registration No. 53,222  
Attorney for the Applicants